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MAY 10 2006

OFFICE OF PETITIONS

Applicant: Pratt
Appl. No.: 10/623,577
Filing Date: July 22, 2004
Title: LIQUID DOSAGE FORMULATIONS OF DONEPEZIL
Attorney Docket No.: 61368-223339
Pub. No.: US 2004/0214863 A1
Pub. Date: October 28, 2004

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221, filed on March 24, 2006, for the above-identified application.

The request is DISMISSED.

The instant request is that the application be republished because the patent application publication contains the contents of another application.

37 CFR 1.221 (b) is applicable "only when the Office makes a material mistake which is apparent from Office records.... Any request for a corrected publication or revised patent application publication other than provided as provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable." A material mistake must affect the public's ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.¹

The request for corrected publication received on March 24, 2006, was not timely filed under 37 CFR 1.221(b).

Due to the nature of the errors in this publication, the office will *sua sponte* publish a corrected patent application publication. The corrected patent application publication will be published in due course, unless the application is allowed and the patent issues before the application is republished.

¹Changes to Implement Eighteen-Month Publication of Patent Applications, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, Off. Gaz. Pat. Office Notices 63, 75 (Oct. 10, 2000) (final rule).

The documents scanned on September 4, 2003, which were improperly indexed as specification, claims and drawings and published have been relabeled as a foreign reference.

Inquiries relating to this matter may be directed to Mark Polutta at (571) 272-7709 (voice).

A handwritten signature in black ink, appearing to read "Mark O. Polutta". The signature is stylized with a large "M" and "P".

Mark O. Polutta
Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy

Enclosure: Corrected Filing Receipt